
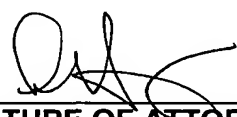


<b>TRANSMITTAL OF UTILITY APPLICATION UNDER 37 C.F.R. §1.53</b>	Attorney Docket No.	38349-0123
	First named inventor	M. Hendricksen
	Express mail label #	EV195169965US
	Date of mailing	<u>July 25, 2003</u>
<b>Application Elements</b>		<b>Accompanying Application Papers</b>
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form</p> <p>2. <input checked="" type="checkbox"/> Specification containing 55 pages (including Claims and Abstract).</p> <p>    a. Title: BRONCHIAL FLOW CONTROL DEVICES WITH MEMBRANE SEAL</p> <p>    b. Number of claims: 69</p> <p>3. <input checked="" type="checkbox"/> 27 sheets of drawings</p> <p>4. <input type="checkbox"/> Declaration</p> <p>5. <input type="checkbox"/> Sequence Listing</p> <p>    <input type="checkbox"/> Paper copy (identical to computer copy)</p> <p>    <input type="checkbox"/> Computer readable copy</p> <p>    <input type="checkbox"/> Verified statement</p>	<p>6. <input type="checkbox"/> Copy of assignment documents from parent applications</p> <p>7. <input type="checkbox"/> Preliminary Amendment</p> <p>8. <input checked="" type="checkbox"/> Return Receipt Postcard</p> <p>9. <input type="checkbox"/> Small Entity Statement</p> <p>10. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(I). Applicant must attach form PTO/SB/35 or its equivalent.</p> <div style="text-align: right;">  </div>	
	 <b>SIGNATURE OF ATTORNEY/AGENT</b>	
	HELLER EHRMAN WHITE & McAULIFFE LLP	
	Fred C. Hernandez Registration Number: 41,832	
<p><input checked="" type="checkbox"/> Benefit of priority: Benefit of priority: Benefit of priority to U.S. Provisional Patent Application Serial No. 60/399,273 filed July 26, 2002 and U.S. Provisional Patent Application Serial No. 60/429,902. This application is a continuation-in-part of the following co-pending patent applications, U.S. Patent Application 09/797,910 filed March 2, 2001 and U.S. Patent Application 10/270,792 filed October 10, 2002. The subject matter of these patent applications are incorporated into this application in its entirety.</p>		
<b>CORRESPONDENCE ADDRESS</b>		
NAME	Stephanie L. Seidman Registration No. 33,779 Heller Ehrman White & McAuliffe LLP	
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<b>FEE TRANSMITTAL ACCOMPANYING UTILITY APPLICATION UNDER 37 C.F.R. §1.53</b>	Attorney Docket No.	38349-0123
	First named inventor	M. Hendricksen
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### FEE CALCULATION FOR CLAIMS AS AMENDED

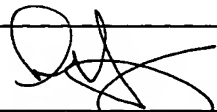
a)	Basic Fee		\$750/\$375	\$ <u>375.00</u>
b)	Independent Claims	<u>5</u> - 3 = <u>3</u>	x \$84/\$42	\$ <u>126.00</u>
c)	Total Claims	<u>69</u> - 20 = <u>49</u>	x \$18/\$9	\$ <u>441.00</u>
d)	Fee for Multiple Dependent Claims	= \$280/\$140		\$ <u>0.00</u>
<b>TOTAL FILING FEE</b>				\$ <u>942.00</u>

☒ Applicant is a small entity.

☒ A check is enclosed in the amount of \$942.00 to cover the fee for filing the application.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 50-1213.

☒ The Commissioner is hereby authorized to charge any fees that may be required in this application under 37 C.F.R. §§ 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1213. If proper payment is not enclosed, such as a check in the wrong amount, unsigned, post-dated, otherwise improper or informal, or absent, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213 during the entire pendency of this application. This sheet is filed in duplicate.

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Address	4350 La Jolla Village Drive, 7th Floor, San Diego, CA 92122-1246				
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Submitted by:					
Typed or printed name	Fred C. Hernandez			Reg. Number	41,832
Signature			Date	7/25/03	Deposit Account 50-1213